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Attorney's Docket 081776-0306363
Client Reference: SLB-3001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In PATENT APPLICATION of:
KARL JOHNSON ET AL.

Confirmation Number: 8401

Application No.: 10/697,554

Group Art Unit: 3724

Filed: October 31, 2003

Examiner: Watts, Douglas D.

For: METAL DEMOLITION SHEARS WITH INDEXABLE, INTEGRATED WEAR PLATE/PIERCING TIP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

FEES

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	36	- 37	= 0	X \$ 50.00	= \$ 0.00
INDEP.	6	- 6	= 0	X \$ 200.00	= \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 360.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 0.00
GRAND TOTAL					\$ 0.00

FEE PAYMENT

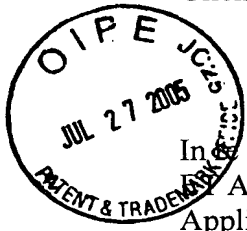
Authorization is hereby made to charge the amount of \$0.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: July 27, 2005
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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Non-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election Requirement dated June 28, 2005, Applicants elect the species represented by FIGS. 1-8b and readable on claims 1-23 and 25. Claims 1-11, 14-20, and 23 are generic. In the event one or more of these generic claims are found allowable in their generic form, rejoinder of dependent non-elected claims is respectfully requested.

This election is made with traverse. It is respectfully submitted that the subject matter of all of the species is sufficiently related that a thorough search for the subject matter of any one species would necessarily encompass a search for the remaining species. MPEP §803 states that “[i]f the search and examination of an entire application can be made without serious burden the Examiner must examine it under the merits, even though it includes claims to independent or distinct inventions” (emphasis added).

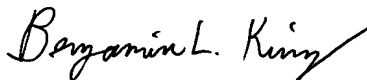
It is respectfully submitted that the Election of Species Requirement should be withdrawn in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent and Trademark Office.

Reconsideration and withdrawal of the Election of Species Requirement are respectfully requested.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



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